

**AMENDMENT NO. 2 TO THE PARKING LICENSE AGREEMENT  
WITH OSTERIA NUMERO UNO, LTD d/b/a ELISABETTA'S**

**THIS AMENDMENT NO. 2** to the Agreement dated October 29, 2019, is made this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the **CITY OF DELRAY BEACH**, a Florida municipal corporation ("City") and **OSTERIA NUMERO UNO, LTD, d/b/a ELISABETTA'S** a Florida corporation ("Licensee").

**W I T N E S S E T H:**

**WHEREAS**, the parties entered into a Parking License Agreement to provide for the use of eight (8) public parking spaces located on the south side of East Atlantic Avenue between Swinton Avenue and SE 1<sup>st</sup> Avenue for valet parking queues; and

**WHEREAS**, on **XXX**, the Parking License Agreement was extended for an additional six (6) months; and

**WHEREAS**, the parties desire to make changes to the Agreement and extend the Agreement for an additional **two (2)** years.

**NOW, THEREFORE**, the parties agree as follows:

1. The recitations set forth above are incorporated herein.
2. That Paragraph 10, "**Term and Renewal**," shall hereby be amended as follows:
  10. **Term and Renewal**. This Agreement shall terminate on September 30, ~~2020~~ **2022**. If the **LICENSEE** has an account in arrears and/or is unable to provide proof of valid parking lot lease(s) and/or insurance, the license may be suspended until required payment and/or documentation is received by the **CITY**.
3. This Amendment No. 2 together with the original Agreement and Amendment No. 1, constitute the entire Agreement between the parties relating to the subject matter hereof. It is the final expression of agreement between the parties, thus, neither party shall be entitled to rely upon any conflicting oral representations, assurances, claims or disclaimers, made either prior to or simultaneous with the execution of this Amendment.
4. Except as expressly modified in writing herein or as modified by subsequent written amendments, all other terms and conditions of the original Agreement and any amendments thereto survive this Amendment and are deemed to be incorporated herein and are binding on the parties.

**IN WITNESS WHEREOF**, the parties have executed this Amendment No. 2 to the Parking License Agreement on the day and year first hereinabove written.

ATTEST:

CITY OF DELRAY BEACH, FLORIDA

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to legal form  
and sufficiency:

\_\_\_\_\_  
City Attorney

OSTERIA NUMERO UNO, LTD

By: \_\_\_\_\_

\_\_\_\_\_  
(please type or print name)  
Title: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ (name of person), as \_\_\_\_\_ (type of authority) for \_\_\_\_\_ (name of party on behalf of whom instrument was executed).

Personally known \_\_\_ OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

\_\_\_\_\_  
Notary Public – State of Florida